

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE PRESCRIPTION
OPIATE LITIGATION**

This document relates to:
Case No. 1:18-op-45274-DAP

TARRANT COUNTY, TX,

Plaintiff,

vs.

PURDUE PHARMA, et al.,

Defendants.

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE DEFENDANTS'
THIRD-PARTY COMPLAINT**

Defendants and Third-Party Plaintiffs The Kroger Co., Kroger Limited Partnership I, Kroger Limited Partnership II and Kroger Texas LP, (collectively, "Kroger") and Albertson's LLC, Albertsons Companies, Inc., Randall's Food & Drug LP, Safeway Inc., United Supermarkets LLC, (collectively, "Albertsons") oppose Plaintiff's Motion to Strike Defendants' Third-Party Complaint (the "Motion"), incorporate by reference the opposition to Plaintiffs' motion to strike in Track 3 (MDL ECF No. 3551), and respectfully submit that the Court erred by striking the third-party complaint in Track 3 (MDL ECF No. 3561).

Dated: January 24, 2022

/s Ronda L. Harvey

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Respectfully submitted,

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Counsel for Defendants Albertson's LLC,
Albertsons Companies, Inc., Randall's
Food & Drug LP, Safeway Inc., United
Supermarkets LLC II

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of January 2022, I electronically filed a copy of the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

/s/ Ronda L. Harvey
Ronda L. Harvey